



Lyon & Lyon LLP
Docket Information
255/144

DECLARATION
Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **PULMONARY DRUG DELIVERY DEVICE** the specification of which

(Check One)

is attached hereto OR

was filed on August 29, 2000 as United States Application Serial No. 09/650,491 or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name
	RESIDENCE & CITIZENSHIP	City Orange	State or Foreign Country California	Country of Citizenship USA
	POST OFFICE ADDRESS	204-2 North Singingwood Street	City Orange	State or County California
INVENTOR'S SIGNATURE			DATE <u>11/29/00</u>	

202	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS		City	State or County
INVENTOR'S SIGNATURE			DATE	

203	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS		City	State or County
INVENTOR'S SIGNATURE			DATE	

204	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS		City	State or County
INVENTOR'S SIGNATURE			DATE	

20-	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS		City	State or County
INVENTOR'S SIGNATURE			DATE	



Patent
274/081

In re the Application of:

Alex Stenzler

Serial No: 10/177,221 (CON of 09/650,491
8/29/00)

Filed: 6/20/2002

For: PULMONARY DRUG DELIVERY
DEVICE

Group Art Unit: 3761

Examiner: N/A

TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Respectfully submitted herewith is a Revocation of Prior Powers and New Power of Attorney, in connection with the captioned patent application. Applicant's previous attorney, the law firm of Lyon & Lyon has ceased to exist. Please address all future correspondence to the undersigned at the following address. Thank you.

Sidley Austin Brown & Wood, LLP
555 W. Fifth Street, Suite 4000
Los Angeles, California 90013
(213) 896-6000 (telephone)
(213) 896-6600 (facsimile)

Respectfully submitted,

SIDLEY AUSTIN BROWN & WOOD LLP

Dated: September 25, 2002

By:

Samuel N. Tiu
Reg. No. 47,997

CERTIFICATE OF TRANSMISSION (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office Group Art Unit 3761 (Fax No. 303-892-1120) to the attention of Examiner N/A on the date shown below.

Dated: 9/25/2002

Name of Person Transmitting Paper
BRIAN M. BURCHAM

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Page 1 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REVELATION F PRIORITY POWERS AND NEW POWER ATTORNEY

Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8
I hereby certify that this document is being transmitted on this date by facsimile
transmission to U.S. Patent and Trademark Office (703) 762-272-9302.

Melody K. Gutierrez

Dated: 9/12/02

Honorable Sir:

Sensormedics Corporation, having a place of business at 22705 Savi Ranch Parkway, Yorba Linda, CA 92887, and being the owner of the entire right, title and interest to the patent applications identified on the attached list, hereby revokes all previously given powers of attorney for the applications listed on attached sheet, and hereby appoints the following:

Edward G. Poplawski	33,439
Jeffrey M. Olson	30,790
Denise L. McKenzie	43,790
Nisan A. Steinberg, Ph.D.	40,345
Jeffrey A. Finn	P51,679
Samuel N. Tiu	47,997
Michelle Kim	P51,881

all of whom are members in good standing of a state bar, and are members of the law firm of Sidley Austin Brown & Wood, LLP, 555 West Fifth Street, Los Angeles, California 90013-1010 at (213) 896-8000, its representatives with full power of substitution and revocation, to transact all business in the United States Patent and Trademark Office connected therewith.

Effective immediately, please change the correspondence address related to the identified patent applications on the attached sheet:

from: Lyon & Lyon LLP
633 West Fifth Street
Los Angeles, California 90071

to: Samuel N. Tiu, Esq.
Sidley Austin Brown & Wood
555 West Fifth Street
Los Angeles, California 90013-1010

and direct all future correspondence to the above address; and refer all telephone communications to Samuel N. Tiu at (213) 896-8095.

CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Sensormedics Corporation certifies that it is the owner of the entire right, title, and interests in the patent applications identified in the attached list by virtue of an assignment from the inventor and/or inventors. The assignments were recorded in the Patent and Trademark Office at the Reel/Frame listed in the attached list.

The undersigned, as an officer of Sensormedics Corporation, is empowered to act on behalf of the Sensormedics Corporation.

I hereby declare that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issues thereon.

SENSORMEDICS CORPORATION

Dated: 9/9, 2002

By: William Ross
William Ross
Chief Operating Officer



SENSORMEDICS CORPORATION

Application N .	Filing Date	Assignment Recorded at Reel/Frame
09/449,240	11/24/1999	010423/0796-0799
09/650,491	8/29/2000	011339/0140-0143
09/713,748	11/14/2000	011290/0583-0586
09/746,948	12/21/2000	011395/0434-0436
09/749,022	12/26/2000	011429/0851
10/172,270	6/14/2002	011429/0851-0853
10/177,221	6/20/2002	011339/0140-0143



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FEBRUARY 27, 2001

PTAS

LYON & LYON LLP
MICHAEL S. DAVIDSON
633 WEST FIFTH STREET, SUITE 4700
LOS ANGELES, CA 90071-2066



101555454A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/08/2000

REEL/FRAME: 011339/0140
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STENZLER, ALEX

DOC DATE: 11/21/1999

ASSIGNEE:

SENSORMEDICS CORPORATION
22705 SAVI RANCH PARKWAY
YORBA LINDA, CALIFORNIA 92887-4645

SERIAL NUMBER: 09650491

FILING DATE: 08/29/2000
ISSUE DATE:

PATENT NUMBER:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECEIVED
MAR - 6 2001
U.S. PROSECUTION

NOV 10 2003

12-19-2000

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

12-9-00

Docket No. 255/144

101555454

To the Honorable Commissioner of Patents and Trademarks

Attached original documents or copy thereof.

1. Name of conveying party(ies): ALEX STENZLER Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: SENSORMEDICS CORPORATION Internal Address: _____ City: _____ State: _____ Zip: _____ Street Address: 22705 Savi Ranch Parkway City: Yorba Linda State: California Zip: 92887-4645
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Execution Date: November 21, 1999		
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s).: 09/650,491 B. Patent No(s).:		
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael S. Davidson Internal Address: LYON & LYON LLP 633 West Fifth Street, Suite 4700 Los Angeles, CA 90071-2066		6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41): \$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: 12-2475

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael S. Davidson, Reg No. 43,577

Date: **December 4, 2000**Total number of pages including cover sheet: **3**

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503.

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, I, ALEX STENZLER, a citizen of THE UNITED STATES OF AMERICA, (hereinafter referred to as "ASSIGNOR"), have invented and own a certain invention entitled PULMONARY DRUG DELIVERY DEVICE for which application for Letters Patent of the United States of America filed under Serial No. 09/650,491 on August 29, 2000; and

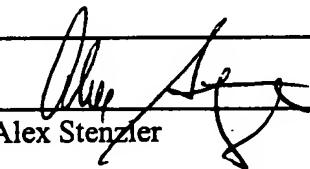
WHEREAS, SENSORMEDICS CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at **22705 Savi Ranch Parkway, Yorba Linda, CA 92887-4645**, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, transfers and sets over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Yorba Linda,
California, this 21 day of November, 2000.

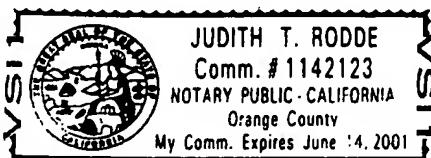

Alex Stenzler

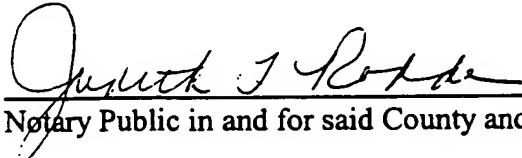
STATE OF CALIFORNIA)
)
) ss
COUNTY OF ORANGE)

On 21 Nov 00 before me, Judith T. Rodde, personally appeared
Alex STENZLER

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.




Notary Public in and for said County and State